

Kansas Register

Bill Graves, Secretary of State

July 15, 1993

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Vol. 12, No. 28

Board of Accountancy

Correction Notice Concerning Permanent Administrative Regulations

Two permanent regulations of the State Board of Accountancy, appearing on page 1041 in the July 8, 1993 issue of the Kansas Register, were published using an incorrect regulation number. The regulation numbers under Article 14, Limited Liability Companies, should have read 74-14-1 and 74-14-2.

Glenda Moore Executive Director

State of Kansas

Board of Accountancy

Notice of Meeting

The State Board of Accountancy will meet at 9 a.m. Friday, July 23, in Conference Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. Persons interested in agenda items or in attending should contact the board office in Suite 556 of the Landon Building.

Glenda Moore Executive Director

Doc. No. 013674

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 7-19-93 through 7-25-93

Term	Rate
0-90 days	3.08%
3 months	3.06%
6 months	3.18%
12 months	3.52%
24 months	3.94%
36 months	4.38%
48 months	4.72%
	Sally Thompson State Treasurer

Doc. No. 013678

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PUBLISHED BY
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Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236



Register Office: 235-N, State Capitol (913) 296-3489

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 19 through August 1:

Date	Room	Time	Committee	Agenda
July 19	313-S	10:00 a.m.	Joint Committee on Economic	19th: Governor's task force report on telecommunications and other telecommunications issues (in conjunction with the Joint Committee on Computers and Telecommunications). 20th: Presentations on telecommunications issues continued.
July 20	519-S	9:00 a.m.	Development	
July 19	531-N	9:30 a.m.	Joint Committee on	19th: Governor's task force report on telecommunications and other telecommunications issues (in conjunction with the Joint Committee on Economic Development). 20th: Review of agency information technology plans.
Move	to 313-S th	ereafter	Computers and	
July 20	531-N	9:00 a.m.	Telecommunications	
July 19	526-S	10:00 a.m.	Joint Committee on Arts and	19th: Update on Statehouse sculpture; Statehouse preservation; state preservation plan for paper; historic sites realignment. 20th: Constitution Hall and continuation of historic site discussions.
July 20	526-S	9:00 a.m.	Cultural Resources	
July 21 July 22	519-S 519-S	10:00 a.m. 9:00	Task Force on the Funding of Community Colleges and the Kansas Postsecondary Vocational and Technical Training System	21st: Report on the AVTS strategic plan; report from community college presidents on technical training; and report from Charles Warren, President of Kansas Inc., about job training and economic development. 22nd: Presentation by John Myers about funding and job training trends in other states.

Emil Lutz Director of Legislative Administrative Services

Kansas Agricultural Value-Added Processing Center

Notice of Leadership Council Meeting

The Leadership Council of the Kansas Agricultural Value-Added Processing Center (KVAC) will convene for a board meeting from 9 a.m. to 3 p.m. Wednesday, July 14, at Kansas State University, K-State Union, Room 212, Manhattan. For further information contact Susan J. Goetsch, Assistant Director, at (913) 532-7033.

Richard R. Hahn Director

Doc. No. 013692

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, August 19, in the State Board of Agriculture conference room, first floor, 109 W. 9th, Topeka, to consider the adoption of a proposed permanent rule

and regulation.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the executive director of the Commission on Governmental Standards and Conduct, 109 W. 9th, Suite 504, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Copies of the regulation and the economic impact statement may be obtained by writing the commission at the address above. If accommodations for people with disabilities are needed, notify the Kansas Commission on Governmental Standards and Conduct at the above listed address at least two days in advance.

A summary of the proposed regulation and its economic impact follows:

19-29-1. Place and time of filing. This regulation is being added to clarify the place and time of filing for party and political committee receipts and expenditures reports.

Economic Impact: None.

Carol E. Williams Executive Director

Doc. No. 013680

State of Kansas

Kansas Arts Commission

Notice of Salary Assistance Program and Workshop

Local arts agencies wanting to hire an executive director or expand an existing position are invited by the Kansas Arts Commission to submit applications to the Salary Assistance Program.

"First-time" pertains to qualified organizations not having a paid executive director position within the

prior two years (1992 and 1993).

"Expanded" pertains to qualified organizations which are increasing the salary and responsibilities of

an existing executive director position.

A "local arts agency" is defined as a publicly accountable community organization or an agency of city or county government which primarily provides cultural planning and development through financial support, services or other multi-disciplinary programs for a variety of arts organizations and/or individual artists and the community as a whole. Generally, only one local arts agency serves a community.

The deadline for Salary Assistance Program applications to be received in the commission office is 5 p.m. Wednesday, September 15. One-year budgets and long-range organizational plans are required.

The Salary Assistance Program is funded by a grant from the National Endowment for the Arts, a federal agency. This two-year program provides salary, benefits, and travel support to local arts agencies. First-year grants cover up to 50 percent of salary, benefits and travel expenses for a new or expanded executive director position, with second-year grants providing up to 25 percent of these expenses.

Requirements for funding emphasize involvement by the boards of directors, including development of a cultural assessment of the community, to be followed by a plan of action and three- to five-year outline of programming designed to expand community involvement and professional development in the agency. Members of the boards and the commission's program coordinator develop the local organization's objectives.

For guidelines, application forms, or more information, contact the Kansas Arts Commission, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603-3758; (913) 296-3335, Fax (913) 296-4989. Persons with special communication needs may utilize the Kansas

Relay Service, 1-800-766-3777.

The Association of Community Arts Agencies of Kansas and the commission are co-hosting a workshop on the Salary Assistance Program at the association's office, 114 W. Walnut, Salina, on Saturday, August 7. Persons interested in attending should call ACAAK, (913) 825-2700.

Dorothy L. Ilgen Executive Director

Attorney General

Opinion No. 93-90

Minors—Kansas Code for Care of Children; Matters Prior to Filing Petition—Mandatory Abuse Reporting Statute. Nannette L. Kemmerly-Weber, Allen County Attorney, Iola, July 6, 1993.

Persons listed in K.S.A. 1992 Supp. 38-1522 are required to notify the Department of Social and Rehabilitation Services (SRS), or a law enforcement agency if SRS is closed, if they have reason to suspect that a child has been sexually abused regardless whether the alleged perpetrator resides in the child's home. A mandated reporter who refuses to notify SRS because of a promise extracted by the victim or the victim's family violates the law and subjects himself or herself to criminal prosecution. Cited herein: K.S.A. 1992 Supp. 38-1502; K.S.A. 38-1521; K.S.A. 1992 Supp. 38-1522; 38-1523; K.S.A. 65-5810; 65-5812. MF

Robert T. Stephan Attorney General

Doc. No. 013686

State of Kansas

Kansas Arts Commission

Notice of Grassroots Cultural Development Program

Organizations in Kansas may apply to the Grassroots Cultural Development Program of the Kansas Arts Commission for assistance in developing arts programming for underserved populations in rural, multi-cultural or other communities, including institutions, correctional facilities and providers of services to persons with special needs.

The 1994 Grassroots Cultural Development Program includes three main components: Cultural Activity Grants, Consultant/Technical Assistance Grants, and

Multiple-Year Cultural Development Grants.

Applications for annual Cultural Activity Grants must be submitted to the commission at least six weeks prior to the arts activity and will be accepted until May 1, 1994, or as long as funds remain available. These grants provide up to 75 percent, not to exceed \$1,000, in support for community cultural arts activities and events.

Consultant/Technical Assistance Grants enable organizations to access professional expertise with a small local investment. Applicants should provide travel expenses for the consultant or person providing technical assistance. Upon approval of the application, the commission provides a two-to-one match.

Multiple-Year Cultural Development Grants allow maximum requests for 50 percent support, not to exceed \$4,000, for the current year; and 25 percent support, not to exceed \$2,000, for the next year. All applications for Multiple-Year Cultural Development Grants must be received in the commission office by 5 p.m. Monday, August 23.

Underserved rural, multi-cultural, and community service organizations may apply for any of the components in the Grassroots Cultural Development Program. Guidelines and application forms may be obtained from the Kansas Arts Commission, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603-3758; (913) 296-3335. Persons with special communication needs may utilize the Kansas Relay Service, 1-800-766-3777.

The rural arts circuit rider, a traveling technical assistant, is available throughout the year to visit underserved communities upon request to work with arts organizers, educators and artists. The circuit rider and arts program coordinators at the commission office offer on-site advice about getting started, planning events, filling out grant forms, seeking advice from other experienced arts organizers, evaluation programs, etc.

The rural arts circuit rider may be contacted at the Cooperative Extension Service, Kansas State University, 119 Umberger Hall, Manhattan 66506-3403; (913) 532-6624.

Funding for the Grassroots Cultural Development Program is provided through a grant from the National Endowment for the Arts, a federal agency, and through an appropriation by the 1993 Kansas Legislature of economic development initiative funds, generated by the Kansas Lottery and other gaming revenues.

Dorothy L. Ilgen Executive Director

Doc. No. 013672

State of Kansas

Department of Commerce and Housing

Notice to Private Activity Bond Applicants

Applications for allocation of Private Activity Bond (PAB) authority are now being accepted for those uses defined as qualified "small issue" bonds by the Internal Revenue Code of 1986, and amendments thereof. Notice on application procedures for qualified mortgage bonds will be made at a later date.

The state of Kansas currently receives \$150,000,000 of federal authority for the issuance of PABs on an annual basis. Provisions in the federal law allowing the use of PAB authority for "small issue" bonds and single-family housing purposes sunset on June 30, 1992. This notice is published in anticipation of renewal of the federal authority for these qualified uses of private activity bond allocation.

For more information, or to obtain application materials, contact Steve Kelly, Kansas Department of Commerce and Housing, 700 S.W. Harrison, 13th

Floor, Topeka 66603-3712, (913) 296-5298.

Bob Knight Secretary of Commerce and Housing

Secretary of State

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 8:30 a.m. Monday, August 16, in the conference room of the Secretary of State's Office, Room 231-N, State Capitol, Topeka, to consider the adoption of proposed changes in existing rules and regulations on a permanent basis.

K.A.R. 7-27-1 pertains to the maintenance of party affiliation lists and when such lists must be certified to the Secretary of State. There will be minimal economic impact on governmental agencies or the general public.

K.A.R. 7-29-1 pertains to official paper ballot printing rates. There will be minimal economic impact on governmental agencies or the general public.

K.A.R. 7-29-2 pertains to official ballot colors. There will be minimal economic impact on governmental

agencies or the general public.

This 30-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. Comments may be submitted prior to the hearing to Jenny Chaulk Wentz, Legal Counsel, Office of the Secretary of State, 2nd Floor, State Capitol, Topeka 66612.

All interested parties will be given a reasonable opportunity at the hearing to present their views. It may be necessary to request each participant to limit any

oral presentation to five minutes.

Copies of the regulations and their fiscal impact statements may be obtained at the address above or by calling (913) 296-2114.

> Bill. Graves Secretary of State

Doc. No. 013676

State of Kansas

Kansas Arts Commission

Notice of Design Arts/Capital Aid Grant Program

Organizations in Kansas communities may apply to the Design Arts/Capital Aid Program of the Kansas Arts Commission for assistance in planning, developing and equipping cultural facilities. The Design Arts/Capital Aid Program offers assistance for projects or portions of projects that take place during fiscal year 1994 (July 1, 1993-June 30, 1994). Not-for-profit, incorporated, tax-exempt organizations or public agencies are eligible to apply.

The five program components are:

Accessibility Transition Planning Grants cover partial costs of developing an accessibility transition plan. These grants of up to \$5,000 must be matched one-to-one with cash revenue not used to match any other KAC grant.

Arts Facilities Planning Grants support such activities as conducting community arts needs assessments,

studying structural and space feasibility, or planning for program expansion in relation to development of arts facilities. These grants of up to a maximum of \$5,000 must be matched one-to-one with cash revenue not used to match any other KAC grant.

Capital Aid Grants for arts facilities are intended to assist with the acquisition of buildings or real property, funding of renovations or improvements involving structural change, and purchases of equipment related to arts programs. Grants may not be used for office or computer equipment. A priority will be given to projects that improve accessibility for persons with disabilities.

Grants up to a maximum of \$25,000 may be requested, but every state dollar must be matched with \$2 of local cash revenue. Revenue used to match other KAC grants may not be used as matching funds. Organizations that have received Capital Aid grants in past years may apply this fiscal year.

Accessibility Needs Assessments are non-matching grants provided by the KAC to pay the costs of audits of arts facilities to determine accessibility to all persons in their communities. The audits will be one step that an organization may take to guide them as they plan for compliance with federal and state laws that mandate a minimum standard of accessibility in all public buildings.

Only not-for-profit tax-exempt Kansas organizations and public agencies that own facilities used for arts

programs are eligible.

The commission will award grants on a first-come, first-served basis until reserved funds are gone. Grants will be in amounts equal to the accessibility auditor's fee, up to a maximum of \$1,000. The local organizations will identify accessibility auditors in their area and schedule the audits of their facilities.

Design Arts Consultants Pool Grants are offered on a first-come, first-served basis until available funds are exhausted. An applicant may request support from the KAC to use one or more design consultants for up to 10 days.

Applications for the Accessibility Transition Planning, Arts Facilities Planning and Capital Aid grants must be received in the commission office by 5 p.m. August 20. Applications for Accessibility Needs Assessment and Consultants Pool grants will be accepted through the year. For guidelines and application forms, contact the Kansas Arts Commission, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka '66603-3758; (913) 296-3335 (TDD via Kansas Relay Service: 1-800-766-3777).

Funding is provided through a grant from the National Endowment for the Arts, a federal agency, and through an appropriation by the 1993 Kansas Legislature of economic development initiative funds, generated by the Kansas Lottery and other gaming revenues.

Dorothy L. Ilgen Executive Director

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information:

Monday, July 26, 1993 29695

Department of Health and Environment—Blood products for hemophilia program

29798

State—Ice and snow removal chemicals

96766

Hutchinson Correctional Facility—Instabarrier

96781

Department of Social and Rehabilitation Services— Telecommunications project

Tuesday, July 27 1993

29793

University of Kansas—September (1993) meat products

29794

University of Kansas Medical Center—September (1993) meat products

29797

University of Kansas Medical Center—Immuno assay kits

97667

Kansas State University—Miscellaneous food products

Wednesday, July 28, 1993

29795

Statewide—Specialty foods and related products

Thursday, July 29, 1993

A-7218

Department of Wildlife and Parks—Utilities for campgrounds, Hillsdale

A-7219

Department of Wildlife and Parks—South Tecumseh boat ramp, Hillsdale

A-7223

Department of Administration—Remodeling of the House of Representatives

29799

University of Kansas—Printing of "Kansas Alumni" Magazine

96772.

University of Kansas—Zeiss microscope

96773

University of Kansas—Air filters

Friday, July 30, 1993

1077

A-6959

Topeka State Hospital—Addition of utility meters 29804

University of Kansas Medical Center—Temporary therapy services

96774

University of Kansas Medical Center—Acoustical wall panels

96775

Kansas State University—Furnish and install overhead doors and operators

96777

University of Kansas—Polo shirts

96785

Department of Human Resources—Mail handling equipment

96786

University of Kansas-Pallet racks

Wednesday, August 4, 1993

A-6956, A-7174

Topeka State Hospital—Repair and resurface roads/ parking areas

Thursday, August 5, 1993

29802

Various state agencies—Natural gas

Monday, August 16, 1993

29801

Department of Corrections, Norton Correctional Facility—Farm lease

Tuesday, August 17, 1993

A-7083

Department of Corrections—Water/sewer improvements, Hutchinson

Tuesday, August 31, 1993

29800

Department of Transportation—Automobile liability insurance

Monday, May 2, 1994

29738

Department of Administration, Division of Information Systems and Communications—KANSAN Network

Friday, July 30, 1993

29803

Technical consulting services for the Citizens Utility Ratepayer Board

Jack R. Shipman Director of Purchases

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment will conduct a public hearing at 1:30 p.m. Monday, August 16, in Classroom A of the Kansas Museum of History, 6425 S.W. 6th, Topeka. KDHE staff will be available at the hearing. The purpose of this public hearing is to consider adoption of proposed new temporary and permanent regulations K.A.R. 28-29-98 and K.A.R. 28-29-99.

New temporary and permanent regulation K.A.R. 28-29-98 adopts federal regulations contained in 40 CFR Part 258. These regulations are commonly referred to as Subtitle D, and pertain to management of municipal solid waste landfills (MSWLFs). New temporary and permanent regulation K.A.R. 28-29-99 establishes the implementation dates of K.A.R. 28-29-98 for financial assurance requirements for all landfills, and for all parts other than financial assurance for MSWLFs receiving less than 100 tons per day of municipal solid waste.

By adopting 40 CFR Part 258, Kansas can become authorized by the EPA to be the regulatory authority of landfills in the state. If Kansas chose not to become authorized to manage the MSWLF program, the EPA and third parties would manage the program. Thus, the economic impact of MSWLF compliance is not increased by adopting K.A.R. 28-29-98.

In addition to adopting 40 CFR Part 258, however, K.A.R. 28-29-98 modifies the list of parameters required for monitoring at MSWLFs by 40 CFR Part 258. The federal regulation allows an approved state to modify the list of parameters. The modified list of parameters has a lower cost than those promulgated in the federal regulation. Therefore, there should be a cost savings of approximately \$150,000 statewide on an annual basis by adopting K.A.R. 28-29-98.

K.A.R. 28-29-99 establishes an implementation schedule by the requirements adopted in K.A.R. 28-29-99. This is the same schedule proposed by the EPA. Therefore, there should be no additional economic impact by adopting K.A.R. 28-29-99.

Copies of the regulations and the economic impact statement may be obtained from the Kansas Department of Health and Environment, Bureau of Waste Management, Forbes Field, Topeka 66620, (913) 296-1590. Questions pertaining to these proposed rules should be directed to Mike Tate at (913) 296-0724.

The time period between the publication of this notice and the scheduled hearing constitutes a 30-day public comment period for the purpose of receiving written comments prior to the hearing. All interested parties will be given reasonable opportunity during the hearing to present their views, orally or in writing, concerning the adoption of the regulations. Following the hearing, all comments will be considered in de-

termining whether to make changes to the proposed regulations.

Robert C. Harder Secretary of Health and Environment

Doc. No. 013688

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment will conduct public hearings to consider adoption of proposed new permanent regulations K.A.R. 28-44-28 and K.A.R. 28-44-29. The hearings will be held at the following times and places:

—August 24, 7 p.m., in the auditorium of the Shawnee County Health Agency, 1615 S.W. 8th, Topeka.

—August 25, 7 p.m., at Barton County Community College, Room S-118 of the Science and Math Building, Great Bend.

-- August 26, 7 p.m., in the auditorium of the Wichita-Sedgwick City-County Public Health Department, 1900 E. 9th, Wichita.

K.A.R. 28-44-28 prescribes payment methods for fees and K.A.R. 28-44-29 establishes annual fees and registrations that will be required for the use of certain above ground storage tanks. The fee is proposed to be \$10 per tank per year, and it will be applied to tanks which contain hazardous materials or petroleum products. Owners of the tanks will also be required to furnish the department with information concerning the tanks, including their size, location, construction details, and product stored in the tanks.

Copies of the regulations and the economic impact statement may be obtained from the Kansas Department of Health and Environment, Bureau of Environmental Remediation, Forbes Field, Topeka 66620, (913) 296-8061. Questions pertaining to these proposed rules should be directed to Phil Koontz at (913) 296-6242.

The time period between the publication of this notice and the scheduled hearings constitutes a public comment period for the purpose of receiving written comments prior to the hearings. All interested parties will be given reasonable opportunity during the hearings to present their views, orally or in writing, concerning the adoption of the regulations. Following the hearings, all comments will be considered in determining whether to make changes to the proposed regulations. In the event that a large number of verbal comments are offered at the hearings, the hearing officer may elect to limit the length of the verbal comments from each individual.

Robert C. Harder Secretary of Health and Environment

Kansas State University

Notice to Bidders

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 or FAX (913) 532-5632 for additional information.

Monday, July 26, 1993 #40005

Thermoelectric, liquid cooled change couple device (CCD) digital camera system

> William H. Sesler Director of Purchasing

Doc. No. 013675

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-93-63/65

Name and Address Waterway Type of Discharge of Applicant N. R. Hamm Quarry, Inc. Missouri River via Washwater Sparks Quarry-Sparks Wolf River settling pond P.O. Box 17 discharge Perry, KS 66073 Doniphan County, Kansas

Description of Facility: This facility is engaged in a limestone crushing operation with occasional washing. The washwater is treated with a settling pond and recycled or discharged, if needed. This is an existing facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant Phillips Pipeline Company Paola Terminal-Paola 364 Adams Building Bartlesville, OK 74004

Kansas Permit No. I-M029-P001

Waterway

Marais des Cygnes Stormwater; River via unnamed hydrostatic test tributary

Type of Discharge water from used and new pipelines and

Fed. Permit No. KS-0020214

Miami County, Kansas

Kansas Permit No. I-MC33-P004

Fed. Permit No. KS-0028371

Description of Facility: This facility receives, stores and transports refined petroleum products. Significant changes were made in the initial draft permit necessitating public notice of the modified permit. This is an existing facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Waterway

Name and Address of Applicant Williams Natural Gas Company Atchison 12" Hydrostatic Test Project-Atchison P.O. Box 3288 Tulsa, OK 74101 Atchison County, Kansas

Kansas Permit No. I-M001-P008

Missouri River via Whiskey Creek and Owl Creek

Type of Discharge Hydrostatic test

discharge

Fed. Permit No. KS-0089966

Description of Facility: This is a one-time discharge of water used to hydrostatically test a used natural gas pipeline. The water is filtered prior to discharge. This is a new permit. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before August 13 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-93-63/ 65) and the name of applicant as listed when preparing

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Robert C. Harder Secretary of Health and Environment

Department of Health and Environment

Notice of Meeting

The Department of Health and Environment will meet at 9 a.m. Tuesday, July 27, in the SRS Staff Development Training Center, State Complex West, 300 S.W. Oakley, Topeka. The meeting is open to the public. Telephone hook-ups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina and Lawrence; the Pittsburg Office of Surface Mining; the Wyandotte County Health Department; and the Johnson County Health Department. Any person requiring visual or communication aid or assistance, building access assistance or other similar assistance should contact Mary Ann Cummings at (913) 296-0461 immediately so appropriate arrangements can be made.

The proposed agenda includes:

- -Secretary's remarks.
- -Reports by directors of Health and Environment.
- -Public hearing and adoption of rules and regulations:

Article 36: Food Vending Machines and Food Vending Machine Companies and Lodging Establishments-Application and License Fees (K.A.R. 28-36-30).

—Adoption of regulations:

Article 16: Water Pollution Control (K.A.R. 28-16-61-Amended; K.A.R. 28-16-150 through 154—New).

-FY 95 budget follow-up.

Robert C. Harder Secretary of Health and Environment

Doc. No. 013689

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard on the date indicated before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3146.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for August 3, 1993 Application for Certificate of Convenience and Necessity:

Barry L. Autrey, dba) Docket No. 186,398 M **B.L.** Autrey Trucking P.O. Box 476 Lebo. KS 66856) MC ID No. 147496

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods, classes A and B explosives, petroleum products, commodities requiring temperature control and hazardous materials) and livestock, Between all points and places in the state of Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Dennis Chevrolet Company,) Docket No. 157,496 M Inc., dba Dennis Mazda Co. and Dennis Subaru Co. P.O. Box 16460 Phoenix, AZ 85011) MC ID No. 127400 Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Lowen L. Lackey, dba Docket No. 186,399 M Sterling Tank Service 1020 S. 11th Sterling, KS 67579) MC ID No. 147497

Applicant's Attorney: None

Fresh water for drilling purposes, salt water for disposal purposes, crude oil and petroleum products, Between all points and places in Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Leckington Trucking, Inc.) Docket No. 135,128 M 311 S. Meridian Newton, KS 67114-5205) MC ID No. 105908

Applicant's Attorney: None

Application for Transfer of Certificate of Convenience and Necessity:

Miller Gearhead & Pump) Docket No. 117,700 M Repair, Inc. 2707 W. Jones Ave. Garden City, KS 67846) MC ID No. 102550 Miller Enterprises, Inc. of

Vol. 12, No. 28, July 15, 1993

Garden City 1706 N. Main Garden City, KS 67846

Applicant's Attorney: R. Lee McGowan, 110 W. Chestnut, Garden City, KS 67846

Agricultural equipment-pipe, steel, cast iron, except oil field equipment, materials and supplies,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

River City Courier, Inc.) Docket No. 186,400 M 5532 W. Central

Wichita, KS 67212) MC ID No. 147498

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

General commodities (restricted against the transportation of hazardous materials, commodities in bulk and household goods),

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Kevin Starbuck, dba) Docket No. 186,401 M Starbuck Trucking

Route 3, Box 25B

Fredonia, KS 66736) MC ID No. 147499

Applicant's Attorney: John Chenoweth, 435 N. 6th, P.O. Box 478, Fredonia, KS 66736

General commodities (except classes A and B explosives, household goods and hazardous materials),

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

) Docket No. 186,402 M Earl Risser, dba Risser Trucking

Route 1, Box 114

Hope, KS 67451) MC ID No. 147500

Applicant's Attorney: None

Liquid fertilizer, dry fertilizer and grain,

Between all points and places in Smith, Jewell, Republic, Osborne, Mitchell, Cloud, Russell, Barton, Stafford, Reno, Rice, Ellsworth, Lincoln, Ottawa, Saline, McPherson, Harvey, Marion, Dickinson, Clay, Riley, Geary, Morris, Chase, Lyon, Waubaunsee, Pottawatomie, Jackson, Shawnee, Osage, Douglas, Jefferson, Johnson, Leavenworth and Wyandotte counties, Kansas.

> Don Carlile Administrator Transportation Division

Doc. No. 013683

State of Kansas

Office of Judicial Administration

Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals Court of Appeals Courtroom, Second Floor, Kansas Judicial Center Topeka, Kansas

Tuesday, July 20, 1993

Before Briscoe, C.J.; Green, J.; and Stephen D. Hill, District Judge, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
68,614	State of Kansas, Appellee,	District Attorney Attorney General	Shawnee
	v. Early Jackson, Appellant.	Hazel Haupt	
68,233	State of Kansas, Appellee,	District Attorney Attorney General	Shawnee
	Janie Michelle Hulser, Appellant.	Thomas Jacquinot	(continue

1082	Kans	sas Register	Court of Appeals Docket
68,798	In the Matter of the Application of Jacqueline Rae Coulter for writ of habeas corpus.	Steven R. Zinn County Attorney Edwin A. Van Petten	Doniphan
	Summary Caler	ndar-No Oral Argument	
69,441	In the Matter of the Marriage of Cathy Eileen Matthews and Ronald J. Matthews.	Mark Edwards David P. Troup	Geary
68,751	State of Kansas, Appellee,	County Attorney Attorney General	Lyon
	Tony W. Davis, Appellant.	Joyce Haile Selassie Jessica R. Kunen	
	Before Briscoe, C.J.; I District	Elliott, J.; and Stephen D. Hil Judge, assigned.	
y *		11:15 a.m.	
68,913	State of Kansas, Appellant,	David S. Lord Attorney General	Johnson
	v. Darrell W. Briske, Appellee.	Darrell Briske, pro se	
		1:00 p.m.	
69,345	Kevin White, Appellant,	C. Thomas Kier Stephen W. Boyda	Marshall
A Area .	Candy Colvin, et al., Appellees.	Michael K. Schmitt Gail Bright	
69,432	Farm Bureau Mutual Insurance Co., Appellant, v.	Todd N. Thompson	Leavenworth
_\$X	Terri Driscoll, et al., Appellees.	John L. White	
	Summary Caler	ndar—No Oral Argument	
68,605	State of Kansas, Appellee,	County Attorney Attorney General	Saline
	Larry Dean Docken, Appellant.	Steven R. Zinn	
68,848	State of Kansas, Appellee,	County Attorney Attorney General	Saline
port of the Control	Debra Hudock, Appellant.	Jean Gilles Phillips	
		reen, J.; and Stephen D. Hill, Judge, assigned.	
	· · · · · · · · · · · · · · · · · · ·	3:00 p.m.	
69,133	Garage Door Group, Inc., Appellant,	Scott J. Bloch	Douglas
	Employment Security Board, Appellee.	C. James R. McEntire	
69,000	Ruth Hunter, Appellee,	C. Bruce Works	Shawnee
	Thermal Tech., Inc., Appellant.	Nicholas C. Vedros	
	Summary Calen	dar—No Oral Argument	
69,266	Patricia Hundley, Appellant,	Blake Post	Shawnee
	Donald Pfuetze, D.D.S., Appellee.	Carol B. Bonebrake	
100			

Court o	f Appeals Docket	Kansas Register	1083
68,273	State of Kansas, Appellee,	District Attorney Attorney General	Douglas
	Jack L. Vaughn, Appellant.	Edward Collister, Jr. Jessica R. Kunen	
68,865	State of Kansas, Appellee,	County Attorney Attorney General	Bourbon
	v. Stephen Thomas King, Appellant.	Reid Nelson	
	We	dnesday, July 21, 1993	
	Before Bris	coe, C.J.; Elliott and Green, JJ.	
+*.		9:30 a.m.	
Case No.	Case Name	Attorneys	County
68,668 68,748	In the Matter of the Estate of Ver Haynes, deceased.	a H. Michael C. Hayes Ralph E. Skoog Rick Johnson	Jefferson
68,766	In the Interest of M.J.G. et al.	Michael E. Riling John R. Kurth	Jefferson
		Hal Desjardins	
		Rene M. Netherton	
		County Attorney Philip D. Gordon	
	and the second of the second o	11:00 a.m.	
69,172	Christ Villa, Inc., Appellant,	Ross A. Hollander	Shawnee
	Department of SRS, Appellee.	Bruce Roby	en de la companya de La companya de la co
	Summary	Calendar—No Oral Argument	
68,821	State of Kansas, Appellee,	District Attorney Attorney General	Shawnee
	v. Jerald D. Grant, Appellant.	Stephen Douglas Bonney Jessica R. Kunen	
68,823	State of Kansas, Appellee,	County Attorney Attorney General	Miami
	v. Richard McCluskey, Appellant.	Reid Nelson	
	Division 3 Court	nsas Court of Appeals room, Wyandotte County Courthouse Kansas City, Kansas	
	T	uesday, July 20, 1993	
	Before Royse, P.	J.; Lewis, J.; and Richard W. Wahl, t Judge Retired, assigned.	e karangan dan beranggan beranggan beranggan beranggan beranggan beranggan beranggan beranggan beranggan beran Beranggan beranggan
		9:00 a.m.	
Cașe No.	Case Name	Attorneys	County
68,930	In the Matter of the Estate of Jess Gray, deceased.	s L. William M. Modrcin Alvin D. Shapiro T. Bradley Manson	Johnson
68,680	Michael Thompson, et al.,		· Johnson
	v. Dee Feris, Appellant, and Marvin Rainey & Assoc., Appellee.	E. J. Paul Maurin III Marvin E. Rainey	
		en e	(continued)

		0:00 a.m.	
69,357	Marilyn Shank, Appellee,	Clifford T. Mueller Amy Brown	Johnson
	V.		
CO 000	Thomas McKim, Appellant.	Frank B.W. McCollum	, , , , , , , , , , , , , , , , , , ,
68,983	Leslie Shivers, deceased, Appellant,	William P. Ronan	Johnson
	Land Air Transport, Inc., et al., Appellees.	Mark Kolich	
4,4%	Summary Calend	dar-No Oral Argument	
69,268	Marvin M. Pottratz, Appellant,	James E. Schwartze	Johnson
	Glen E. Wilkens, Appellee.	Russell Brian Cloon	
		lon, J.; and Richard W. Wahl, e Retired, assigned.	
		1:30 a.m.	
68,749	Oak Park Bank, Appellee,	Loren W. Moll	Johnson
a Colorialista. Solorialista	Carl Privitera, et al., Appellants.	Philip S. Harness Stephen Caruso	
	1	:00 p.m.	
69,124	Sunshine Biscuits, Inc., Appellant,	G. Thomas Harris	Wyandotte
	Wyandotte County Board of Commissioners, Appellee.	R. Jeff Fendorf	
المالغ مان	Summary Calend	lar—No Oral Argument	na di Salah Karangan
68,781	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
Carrier C	v.		· · · · · · · · · · · · · · · · · · ·
40 504	David I. Washington, Appellant.	Jean Gilles Phillips	
69,536	Frederick Martin, Appellant, v.	Frederick Martin, pro se	Wyandotte
San Artification	State of Kansas, Appellee.	Attorney General District Attorney	
68,054	State of Kansas, Appellee,	District Attorney Attorney General	Wyandotte
ر ره رميد و رسود الهجيها الد	David L. Downey, Appellant.	Thomas Jacquinot	en mense na familie P
	Before Rulon, P.J.; Lev District Judge	vis, J.; and Richard W. Wahl, e Retired, assigned.	
	2:	00 p.m.	
62,298	In the Interests of M.T. and J.T.	Craig Lubow Carl S. Black Gary P. Kessler John Knudsen	Wyandotte
69 ,28 2	American States Insurance Co., Appellant,	James S. Kreamer Robert A. Babcock Diane M. Breneman	Bourbon
i i kanga	Black & Veatch Architects, Inc., et al., Appellees.	Charles Gentry Richmond M. Enochs	

	Summary Calend	ar—No Oral Argument	
68,954 69,598	State of Kansas, Appellee,	District Attorney Attorney General	Wyandotte
	v. Artis Lee Johnson, Appellant.	Julie Gorenc	
68,624	State of Kansas, Appellee,	District Attorney Attorney General	Wyandotte
	v. Lonell Moore, Jr., Appellant.	Lucille Marino	
68,804	State of Kansas, Appellee,	County Attorney Attorney General	Bourbon
	v.' Theon Willard, Appellant.	Hazel Haupt	
	Wednesda	y, July 21, 1993	
		.; Rulon and Lewis, JJ.	
	9:	30 a.m.	
Case No.	Case Name	Attorneys	County A
68,557	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	Charles B. Harris, Appellant.	Thomas Jacquinot	
68,898	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v. Harold Vernon Matney, Appellant.	Steven R. Zinn	
	10	:30 a.m.	
68,340	In the Matter of the Marriage of Pamela Bjorgaard and Ernest O. Bjorgaard Jr.	John Ivan David R. Gilman	Johnson
68,806 69,267	Bank Western, Appellant,	Richard L. Reid	Johnson
	v. Billy Joe Henderson, et al., Appellees.	Michelle M. Suter	
	Summary Calend	ar—No Oral Argument	e waj
68,815	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	Jerry D. Mank, Appellant.	Jessica R. Kunen	
			Fig. 1

Kansas Court of Appeals Court of Appeals Courtroom, Third Floor, Old Sedgwick County Courthouse 510 N. Main, Wichita, Kansas

Wednesday, July 21, 1993

Before Brazil, P.J.; Larson and Gernon, JJ.

9:00 a.m.

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Case No.	Case Name	Attorneys	County
68,304	Dr. Phillip Knight, Appellant,	Steve R. Fabert Dwight A. Corrin	Sedgwick
	v. Richard Cordry, et al., Appellees.	Steven M. Dickson Richard L. Honeyman	
68,971	John R. Smith, Appellant,	Andrew W. Hutton	Sedgwick
	Douglas Milfield, M.D., et al., Appellees.	Randy J. Troutt	
	**		(continued

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Kansas Register -

Court of Appeals Docket

*	10	:00 a.m.	
69,018	Robert Cornwell, et al., Appellants,	Robert T. Cornwell Kent J. Collins	Sedgwick
	v. Maize State Bank, <i>et al.</i> , Appellees.	Ted E. Knopp	
69,226	Debra Evans, Appellant,	Edward T. Browne	Sedgwick
	v. Natalie Peck, et al., Appellees.	David E. Rogers	
69,055	Charles E. Bell, Appellant,	James M. Glover	Sedgwick
	v. Dillon Companies, Inc., et al., Appellees.	Gerald L. Green	
		00 p.m.	
68,883	Meredith and Lytle, Chartered, Appellee,	Eric C. Melgren	Sedgwick
Se Car	v. Gregory Cannata, Appellant.	William P. Tretbar	
68,026	State of Kansas, Appellee,	Debra S. Byrd	Sedgwick
r .	v.	Attorney General	
	James W. Starks, Appellant.	Wendy Slayton	
		00 p.m.	
69,283	In the Interest of M.M.B., et al.	Paul E. Crider Jr. Francis G. Townsdin Allen Shelton County Attorney	Graham
69,132	State of Kansas, Appellee,	Lloyd Hull County Attorney	Seward
	n in 1998 - Zagara III an sakara da ay da sakara da Tanan in mananan kanan da sakara da sakara da sakara	Attorney General	hay di seri di pelabah
	Gloria Alicia, Appellant.	Bradley E. Ambrosier	t diving the transport of the large day day of the large
69,346	Farm Credit Bank of Wichita,		Gray
¥	Rudolph Loewen, et al., Appellees, and United Tel. Ass'n, et al., Appellants.	Philip Ridenour Harry A. Waite	
e e un estador. Os de estadores	Summary Calend	ar-No Oral Argument	The first of the second se
69,279 69,280	State of Kansas, Appellee,	County Attorney Attorney General	Seward
	v. Jeanette Cruz, Appellant.	Linda S. Trigg	
68,814	State of Kansas, Appellee,	County Attorney	Seward
n fysik Ny institutional		Attorney General	
	Jason R. Hitchcock, Appellant.	Edward Collister Jr. Jessica R. Kunen	
68,698	In the Matter of J.E.B.	Ron W. Paschal Debra S. Byrd	Sedgwick
68,843	State of Kansas, Appellee,	Debra S. Byrd Attorney General	Sedgwick
	V. Terry L. Hoy, Appellant.	Jean Gilles Phillips	
69,192	Larry and Rosemary Yates, Appellees,	Thomas A. Dower	Reno
	v. Kinderhook Oil & Gas, Inc., Appellant.	Don C. Staab	
			Carol G. Green
Doc. No. (13.669 The first factor of the first factor of the first factor of the f	Clerk	of the Appellate Courts
		The control of the co	

Kansas Insurance Department

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be held at 10 a.m. Tuesday, August 17, in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed permanent regulations of the Kansas Insurance Department.

Copies of the full text of the regulations and the economic impact statements may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th, Topeka 66612. The following is a summary of the regulations and the economic impact statements:

40-1-39: This is a new regulation that expands the prohibition against unilateral additions of coverage to all lines of insurers. Revocation of the same current regulation, K.A.R. 40-3-10, applicable only to fire and casualty insurance, is being proposed as a companion change.

Adoption of this regulation should have no economic impact on insurers or this department. Accident and health and life insurance consumers will benefit economically because insurers will not be able to add coverage and related charges without the consent of the insured:

40-1-40: This is a new regulation that replaces existing K.A.R. 40-3-48, the revocation of which is also being proposed. The new regulation constitutes a relocation of 40-3-48 so its provisions will apply to all managing general agents (MGAs) as opposed to only those transacting fire and casualty insurance.

This regulation should have no economic impact on this department, insurers, or managing general agents. Although its application is extended to MGAs transacting life and health insurance, essentially the same requirements have been previously imposed on a caseby-case basis.

40-1-41: This is a new regulation that imposes specific standards on the payments and reimbursements permitted under a management agreement or contract. This regulation may have an adverse economic impact on persons who enter into management agreements or contracts with insurance companies. However, such impact is not quantifiable and is an expected regulatory result.

The regulation will have no economic impact on consumers or this department other than the indirect and intangible savings that result from enhanced insurer solvency.

40-2-23: This is a new regulation imposing disclosure requirements and restrictions on premium financing arrangements applicable to preneed funeral contracts. This regulation will probably entail some additional administrative expense on the part of insurers and those who market life insurance or annuities used to fund preneed funeral contracts. The extent of this additional expense cannot be calculated but will not outweigh the consumer benefit that will result. The

regulation will have minimal economic impact on the Insurance Department.

40-3-10: This regulation is being replaced by K.A.R. 40-1-39. Revocation of this regulation will have no economic impact on insurers, agents, consumers or the Insurance Department.

40-3-32: This regulation is being editorially amended to correct an erroneous reference to K.S.A. 75-4109. The amendment to this regulation will have no economic impact on insurers, agents, consumers or the Insurance Department.

40-3-33: This regulation relates to the F.A.I.R. Plan and is being amended to recognize the merger of the Independent Insurance Agents of Kansas and the Professional Insurance Agents of Kansas. Numerous other editorial changes are incorporated to improve its organization, style, orthography, and grammar. The amendments to this regulation will have no economic impact on insurers, agents, consumers or the Insurance Department.

40-3-48: See comments on 40-1-40.

40-3-50: This is a new regulation which will prohibit the imposition of fees or other conditions by rating organizations on insureds or their authorized representatives for information relevant to the composition of an individual insured's insurance premium.

Adoption of this regulation will have an adverse economic impact on insurance rating organizations that now charge for this information, and consumers now required to pay for the information will benefit. On an overall basis, however, the revenue lost by rating organizations may result in greater administrative costs being borne by all insureds, but any such result would be minimal.

The regulation will have no economic impact on the Insurance Department.

40-4-2: This regulation relates to accident and sickness insurance written on a franchise basis. The proposed amendment would reduce the minimum number of employees required to qualify under a franchise arrangement from 5 to 3. This is consistent with the change in the group statutes enacted by the 1993 Legislature.

The amendment to this regulation will have no significant direct economic impact on insurers, agents, consumers or the Insurance Department. However, the ability to sell and buy more policies of insurance on a franchise basis will be an advantage to insurers, agents and consumers.

40-5-12: This is a new regulation prohibiting the termination of credit insurance coverage unless the policy or certificate is actually cancelled, the consumer is notified and the unearned premium is refunded. This regulation will have a favorable economic impact on credit insurance consumers and creditors in the relatively few instances where default on a loan or some other event terminated coverage without the knowledge of either the lender or borrower. It will have no economic impact on the Insurance Department.

(continued)

All interested parties may submit written comments prior to the hearing to the Commissioner of Insurance at the address above. The period of time between the date of publication of this notice and the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Ron Todd Commissioner of Insurance

Doc. No. 013667

State of Kansas

Department of Transportation

Permanent Administrative Regulations

Article 39.—RAIL SERVICE ASSISTANCE PROGRAM

36-39-1. Priorities for loan guarantee applications. (a) Compliance with the following criteria shall increase the priority standing of an application for a loan guarantee:

(1) the rail lines affected have less than five million

gross tons per mile annually;

(2) the application demonstrates a higher benefit-tocost ratio than the minimum ratio required by statute and regulation;

- (3) the application demonstrates that operations will be made more efficient by raising the minimum operating speed to one of the following F.R.A. classes:
 - (A) F.R.A. class one to F.R.A. class two; or (B) F.R.A. class two to F.R.A. class three;

(4) the application demonstrates a positive statewide

or regional economic impact;

(5) the application demonstrates that the project for which funding is sought will result in road or highway maintenance cost savings for state and local governmental entities; and

- (6) the application demonstrates the commitment of capital, or the guarantee of a set amount of rail traffic by local shippers, governmental entities or other interested parties, to the applicant for the continued operations of rail service for which a loan guarantee is sought. (Authorized by K.S.A. 1991 Supp. 75-5050, 75-5046; implementing 75-5040; effective Aug. 30, 1993.)
- **36-39-2.** Definitions. As used in this article, the following words and phrases shall have the meanings ascribed to them in this regulation.
- (a) "Applicant" means any qualified entity which submits an application to the secretary for a loan guarantee.
- (b) "Commission" means the interstate commerce commission.
 - (c) "Facilities" means:
- (1) track, roadbed, and related structures, including rail, ties, ballast, other track materials, grading, tunnels, bridges, trestles, culverts, repair shops, connect-

ing tracks, and public improvements used or usable for rail service operations;

(2) signals and interlockers; and

(3) terminal or yard facilities, including trailer-on-flat car and container-on-flatcar terminals, railroad terminal and switching facilities, and service to express companies and railroads and their shippers.

(d) "F.R.A." means federal railroad administration of the United States department of transportation.

(e) "Lender" means the obligee, holder or creditor under an obligation, except that when a bank or trust company is acting as agent or trustee for such an obligee, holder or creditor, pursuant to an agreement to which the obligor is a part, the term refers to such bank or trust company.

(f) "Loan guarantee" means a guarantee by the state of Kansas to pay off the remaining principal of a spe-

cific loan under the terms of K.A.R. 36-39-3.

(g) "Obligation" means a loan, note, conditional sale agreement, security agreement or other obligation issued or granted to finance or refinance facilities acquisition, construction, rehabilitation or improvement.

(h) "Obligor" means the debtor under an obligation, including the original debtor and any successor or assignee of such debtor who is approved by the

secretary.

(i) "Qualified entity" means any railroad holding an interstate commerce commission certificate, a port authority established in accordance with Kansas law or any legal entity that obtains an interstate commerce commission certificate within six months after qualifying for a loan guarantee.

(j) "Secretary" means the secretary of the Kansas department of transportation, or the secretary's designee. (Authorized by K.S.A. 1991 Supp. 75-5046, 75-5050; implementing 75-5046, 75-5047, 75-5048, 75-5049;

effective Aug. 30, 1993.)

36-39-3. Requirements and conditions for application for a loan guarantee. (a) The original and 10 copies of each application shall be filed with the secretary by a qualified entity and its lender.

- (b) The amount of obligations requested by any applicant to be guaranteed shall not exceed \$5,000,000 annually. If, at the time of application, loan guarantees have previously been approved by the legislature or state finance council during the same fiscal year, the amount requested shall not exceed the difference of \$5,000,000 and the amounts previously approved during that fiscal year. The sum of the amounts sought in each fiscal year, including any outstanding loan guarantees previously approved pursuant to K.S.A. 1991 Supp. 75-5046, shall not exceed \$20,000,000.
- (c) The applicant and lender shall acknowledge in the application that obligations of the state of Kansas resulting from the approval of an application shall be limited to payment of the remaining principal of the specific loan after lenders have exhausted all other available remedies against obligor.

(d) Each application shall include:

(1) the full and correct name, principal business address, telephone number and facsimile number of the applicant;

- (2) the date of the applicant's incorporation, or organization if not a corporation, and the name of the government, state, or territory under the laws of which it was incorporated or organized. If the applicant is a partnership, association or other form of organization other than a corporation, a full description of the organization shall be furnished;
- (3) the name, title, and address of the person to whom correspondence regarding the application should be addressed;
- (4) a certified copy of proposed or executed loan agreements, including related agreements or other documents, and detailed descriptions of the loan guarantee, including:

(A) the total amount of the loan to be guaranteed;

(B) a description of all facilities included in or directly affected by the proposed project, the physical condition of such facilities and a description of the project;

(C) each part of the sub-part into which the project may reasonably be divided and the priority and schedule of expenditures for each part or sub-part;

(D) the estimated timing of the expenditure of the

proceeds of the loan;

- (E) a statement of whether the project involves another railroad or other participant, through joint execution, coordination, or otherwise. To be included is a description of the relative participation of the applicant and the other railroad or participant, including a statement of the financing arrangements of each participant, the portion of the work to be performed by each participant and the contemplated level of usage of the facility by each participant when the work is completed, along with a statement by a responsible officer or official of the other railroad or participant that the information provided reflects their agreement on these matters;
 - (F) the effective date of the loan;
- (G) a schedule of repayment of the principal and interest;
- (H) a description of the security to be offered the secretary in connection with any loan guarantee, including a description of the priority of this loan in relation to other liens or security interests on the property that is designated as security, the applicant's opinion of the value of this security, and the basis for the opinion:
- (I) a description of the lender's security and remedies against the obligor or any other parties before the state of Kansas is obligated to pay any defaulted loan; and
- (i) if the loan for which a guarantee is sought is outstanding, the effective interest rate of the loan for which a loan guarantee is sought; or

(ii) if the applicant has discussed with a potential lender the terms of a loan guarantee to be issued, the

proposed effective rate of interest.

(5) a statement, in summary form, showing financial obligations to or claims against the state of Kansas or obligations for which the state of Kansas is guarantor, if any. Such statements shall be made by the applicant,

any affiliated corporate entity of the applicant or the applicant's parent, and shall describe:

(A) the status of any and all claims under litigation;

and

(B) any other debts or guarantees existing between the applicant and the state of Kansas, including the name of the department or agency involved in such loans, claims or other debts;

(6) an analysis which includes:

(A) a statement that the financing is justified by present and future demand for rail services, that the financing will meet existing needs for such services and that the project will provide shippers with improved service. Supporting evidence shall be submitted with the statement, including copies of all market analyses and studies which have been performed to determine present and future demand for rail services;

(B) a description of the impact of the financing upon the projected traffic to be originated, terminated, or carried by the obligor for at least the five years immediately following completion of the project;

(C) a five year pro forma statement of cash flow at-

tributable to the project; and

(D) a description of any other benefit which would accrue to the applicant from the proceeds of the obligation;

(7) a business plan, with supporting evidence,

showing:

(A) that the applicant is financially capable of acquiring, rehabilitating, or improving facilities in an efficient and economical manner;

(B) that the ratio of benefits-to-costs for any project funded by such guaranteed loan shall be greater than one. The benefit-to-cost methodology to be used for this determination will be the most recent standard benefit-to-cost methodology approved by the F.R.A.;

(C) that the applicant shall submit audited financial statements, prepared in accordance with generally accepted accounting principles, for the past two annual accounting periods;

(D) any car supply agreements and the estimated

rail traffic;

(E) a balance sheet, income statement, statement of changes in financial position or statement of cash flows, notes to financial statements, operating plans and appraisals of the assets to be acquired;

(F) that the applicant has been turned down by a lending institution and that adequate funding for the proposed project is not otherwise available on terms that would make the proposed project financially feasible, in the absence of a state loan guarantee; and

(G) a written opinion from bond counsel that the guarantee of such loan by the secretary would not adversely affect the rating of bonds issued pursuant to K.S.A. 1991 Supp. 68-2314 et seq., and amendments thereto:

(8) a statement, with supporting evidence, that the financing will improve the ability of the applicant to transport freight;

(9) a statement describing the maintenance program for the applicant's entire rail system and the planned

(continued)

maintenance program for the facilities financed by the proceeds of the obligation;

(10) from each existing lender or proposed prospective lender a statement which includes:

(A) the lender's full and correct name, principal business address, telephone number and facsimile

(B) references to applicable provisions of law, the lender's charter and other governing instruments that confer authority on the lender to accept the obligation;

(C) a copy of the loan agreement between the lender

and the applicant;

(D) a brief statement of the circumstances and negotiations leading to the agreement by the lender to accept the proposed obligation;

(E) a copy of the lender's determination that the loan would not be economically feasible without the pro-

posed loan guarantee;

- (F) a statement of the nature and extent of any affiliation or business relationship between the existing or prospective lender and any of its directors, partners or principal executive officers, with the applicant and any of its directors, partners, or principal executive officers or with any person whose name is required to be furnished under this article; and
- (G) a full and complete statement of all sums to be given to the lender in connection with the proposed

obligation, including:

- (i) the name and address of each person to whom any payment has been made or will be made and nature of any affiliation, association or prior business relationship between any person named in this paragraph and the lender or any of its directors, partners, or officers;
- (ii) the amount of the cash payment or the nature and value of other consideration; and
- (iii) any condition upon the obligation of the obligee to make any payment;
- (11) a hazardous waste assessment report on the rail lines for which a loan guarantee is requested;
- (12) a certificate of title to prove the applicant has the legal ability to allow its property to be encumbered;

(13) proof of liability insurance in effect in the

amount of \$5,000,000 per occurrence;

(14) an opinion from applicant's counsel that applicant is legally authorized to make this application and has no outstanding litigation or impediment that would impair its ability to perform the obligation;

(15) an acknowledgement by the applicant that the secretary may conduct a pre-audit of applicant's accounting system to determine if the system is adequate

to isolate and accumulate project costs; and

(16) any additional information that the applicant deems appropriate to convey a full and complete understanding of the project and its impact or to otherwise assist the secretary in making a determination. (Authorized by K.S.A. 1991 Supp. 75-5046; implementing K.S.A. 1991 Supp. 75-5046 and 75-5047; effective Aug. 30, 1993.)

36-39-4. Forms. The applicant shall file an application on the forms provided by Kansas department

of transportation labeled and assembled using the following format:

(a) application summary;

- (a) application summary,
 (b) exhibit "A," description of applicant;
 (c) exhibit "B," description of project;
 (d) exhibit "C," description of cost benefit ratio;
 (e) exhibit "D," pro forma cash flow statement;
- (f) exhibit "E," rehabilitation, repair and construction cost estimate;
- (g) exhibit "F," historic and current financial statements;
- (h) exhibit "G," identification of officers and directors;
 - (i) exhibit "H," shipper/receiver surveys; (j) exhibit "I," lender's information; and
- (k) exhibit "J," miscellaneous. (Authorized by and implementing K.S.A. 1991 Supp. 75-5046; effective Aug. 30, 1993.)
- **36-39-5.** Pre-application conference. A pre-application conference shall be held between the prospective applicant and department of transportation staff before an application for a loan guarantee is filed. The proposed project shall be reviewed and guidance given to the prospective applicant on how to proceed. Applications shall not be filed sooner than 30 days after the pre-application conference. (Authorized by and implementing K.S.A. 1991 Supp. 75-5046; effective Aug. 30, 1993.)
- 36-39-6. Rail service financial assistance; loans and grants. (a) Compliance with the criteria in K.A.R. 36-39-1(a) shall increase the priority standing of an application for a loan for railroad financing, acquisition and rehabilitation in the state of Kansas.

(b) Monies to be loaned shall originate from federal railroad administration funds awarded on a discretionary basis by the F.R.A. through the local rail freight

(c) Application for loans shall meet the requirements of 49 C.F.R. 266 (1979) and 49 U.S.C.A. App. § 1654 (1990) unless projects have been previously evaluated

in a Kansas rail plan or rail plan update.

(d) All funds loaned shall be repaid to the department of transportation within 10 years or less with an interest rate established in the loan agreement between the Secretary and applicant that is equal to or less than the federal discount rate charged to depository institutions as published in the "Wall Street Journal" on the date of the application.

(e) Applications are to be in the form prescribed by

the Kansas department of transportation.

(f) Monies for grants will come from the federal railroad administration funds available through the local

rail freight assistance act.

(g) Grant applications shall meet the requirements of 49 C.F.R. 266 (1979) and 49 U.S.C.A. App. § 1654 (1990) unless the project has been previously evaluated in a Kansas rail plan or rail plan update. (Authorized by K.S.A. 1991 Supp. 75-5050; implementing 75-5048 and 75-5049; effective Aug. 30, 1993.)

> Michael L. Johnston Secretary of Transportation

Board of Emergency Medical Services

Permanent Administrative Regulations

Article 10.—CURRICULA

109-10-2. Sponsoring organization. (a) Each first responder's and attendant's initial course of instruction shall identify a sponsoring organization.

(b) Each sponsoring organization shall:

(1) submit an organizational plan to the administrator as part of the application for course approval;

(2) provide facilities, instructional materials, faculty, equipment, and other resources necessary for the course in accordance with Kansas administrative regulations, board policy, and the organization's stated purpose;

(3) provide a course syllabus for each training course

for which approval is requested describing:

(A) a summary of the course goals and objectives;

(B) student pre-requisites, if any, for admission into the training course;

- (C) instructional and other materials required of each student;
 - (D) student fees;
 - (E) student attendance policies;
 - (F) student examination policies;

(G) student requirements for successful course completion;

(H) a description of the clinical and field training

requirements;

- (I) student and participant safety policies;
- (J) state requirements for certification;
- (K) student dress code requirements;
- (L) student progress conferences;(M) student evaluation policies;
- (N) student discipline policies;
- (O) student policies concerning equipment use; and
- (P) faculty used in the training program, their credentials, and their role in conducting the training program;

(4) provide a medical advisor for the training

program;

(5) conduct an evaluation of the course;

(6) maintain records of each approved initial course of instruction as defined in K.A.R. 109-9-5 (a)(4); and

(7) provide a letter accepting responsibility as the sponsoring organization of the training course.

(c) The organizational plan of the sponsoring organization shall:

ization shall:

(1) name the sponsoring organization;

(2) include a statement of philosophy and purpose

of the sponsoring organization;

- (3) name the administrative officer of the sponsoring organization who is directly responsible for the training course;
- (4) name the qualified instructor-coordinator selected to coordinate the training course and state which level of the course they will coordinate;

(5) provide documentation of a current agreement with a physician licensed to practice medicine and surgery to function as the medical advisor of the training course. This agreement shall clearly identify the levels of training which the physician agrees to serve as medical advisor and the expiration date of the agreement;

(6) provide documentation of a current agreement with a hospital to provide clinical training. This agreement shall clearly identify the levels of training which the hospital agrees to provide, any restraints placed on the students or faculty while functioning in the clinical facilities, and the expiration date of the clinical

agreement:

(7) provide documentation of a current agreement with a pre-hospital emergency medical service organization. This agreement shall clearly identify the levels of training which the emergency medical service agrees to provide, any restraints placed on the students or faculty, and the expiration date of the agreement;

(8) include a copy of the course evaluation used for

the course

(9) describe records which will be maintained, how long the records will be maintained, and where the records will be maintained;

(10) provide a list of equipment and supplies that is

available for each course; and

(11) describe how certified attendants desiring to audit any individual class session for continuing education and the continuing ed

tion credit will be issued credit.

(d) In the absence of a sponsoring organization, the instructor-coordinator requesting course approval shall clearly state in the application that the instructor-coordinator will assume the responsibilities of the sponsoring organization and the instructor-coordinator shall fulfill all requirements of the sponsoring organization. (Authorized by and implementing K.S.A. 65-6110; effective Aug. 30, 1993.)

Bob McDaneld Administrator

Doc. No. 013685

(Published in the Kansas Register, July 15, 1993.)

Summary Notice of Bond Sale City of Coffeyville, Kansas \$600,000

General Obligation Bonds, Series 1993 (General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated July 15, 1993, sealed bids will be received by the clerk of the city of Coffeyville, Kansas (the issuer), on behalf of the governing body at City Hall, 7th and Walnut, P.O. Box 1629, Coffeyville, KS 67337, until 7:15 p.m. C.D.T. on July 26, 1993, for the purchase of \$600,000 principal amount of General Obligation Bonds, Series 1993. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

(continued)

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 1993, and will become due on October 1 in the years as follows:

Year	Princip	al Amoi	un
1994			3.1
1995	6	0,000	
1996		0,000	
1997	6	0,000	>-
1998	6	0,000	
1999	6	0,000	
2000	6	0,000	
2001	6	0,000	×.
2002	6	0,000	
2003	6	0,000	

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1994.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$12,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 18, 1993, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1992 is \$37,549,912. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$1,153,760.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 251-7000, or from the financial advisor, Stifel, Nicolaus & Co., Inc., 250 N. Water, Suite 100, Wichita, KS 67202, Attention: Steven F. Randle, (316) 264-6321.

Dated July 15, 1993.

City of Coffeyville, Kansas

Doc. No. 013691

(Published in the Kansas Register, July 15, 1993.)

Amended Summary Notice of Bond Sale \$300,000

Finney County, Kansas
General Obligation Public Building Bonds
(General obligation bonds payable from
unlimited ad valorem taxes)

At the direction of the Board of County Commissioners of Finney County, Kansas, the public sale of the above referenced bonds originally scheduled for July 7, 1993, has been deferred until July 21, 1993, at which time said bonds will be sold as hereinafter described in this amended notice of bond sale.

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale, dated as of July 1, 1993, of Finney County, Kansas, sealed, written bids shall be received at the offices of the County Commissioners, Finney County Courthouse, P.O. Box M, Garden City, KS 67846-0450, on Wednesday, July 21, 1993, until 10 a.m. C.D.T. for the purchase of the General Obligation Public Building Bonds, Series 1993, which are hereinafter described. All bids shall be publicly opened, read aloud and considered on said date and at said time and shall be immediately thereafter acted upon by the Board of County Commissioners of the county.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form which has been prepared for these bonds, which may be obtained from the county clerk or from Dougherty, Dawkins, Strand & Bigelow, Inc., Denver, Colorado, the county's financial advisor. Bids may be submitted by mail or may be delivered in person and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States, made payable to the order of the county, and be in the amount of \$6,000, which is equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$300,000. The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear a dated date of July 1, 1993. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. The bonds shall be subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on January 1 and July 1 of each year, commencing January 1, 1994, and the bonds shall mature serially on July 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$55,000	1994
55,000	1995
60,000	1996
65,000	1997
65,000	1998

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the county, and the full faith, credit and resources of the county will be pledged to the payment thereof. The county will obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the county for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the county to the successful bidder, or at its direction, on or about July 27, 1993, at such location in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The county's assessed valuation for the year 1992 is as follows:

Assessed valuation of taxable tangible property Taxable value of motor vehicles	\$284,168,833 24,298,272
Equalized assessed tangible valuation for computation of bonded debt limitations	\$308,467,105

On December 31, 1992, the county's outstanding bonded indebtedness, not including the bonds de-

scribed herein, will be in the amount of \$4,155,000.

Official Statement

The county has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the county or the county's financial advisor. The preliminary official statement is in a form "deemed final" by the county for the purpose of the Securities and Exchange Commission's Rule 15c2-

12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the county shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Additional information

For additional information regarding the county, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the county's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the county's financial advisor by contacting B.A. Kreutzer, 100 S. Main, Suite 220, Wichita, KS 67202, (316) 265-9421.

Finney County, Kansas By Carol Brown, County Clerk Finney County Courthouse P.O. Box M Finney City, KS 67846 (316) 272-3500

Doc. No. 013677

(Published in the Kansas Register, July 15, 1993.)

Summary Notice of Bond Sale
Unified School District 298
Lincoln County, Kansas (Lincoln Center)
\$4,200,000

General Obligation Improvement Bonds, Series 1993 (General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale July 15, 1993, sealed bids will be received by the clerk of Unified School District 298, Lincoln County, Kansas (Lincoln Center) (the issuer), on behalf of the governing body at 145 E. Lincoln Ave., Lincoln Center, KS 67455, until 8 p.m. C.D.T. on July 26, 1993, for the purchase of \$4,200,000 principal amount of General Obligation Bonds, Series 1993. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 15, 1993, and will become due on September 1 in the years as follows:

Year	Principal Amo	ount
1994	\$140,000	
1995	125,000	
1996	135,000	7 - Z
1997	140,000	
1998	150,000	
1999	160,000	
2000	 170,000	
		(continued)

The second secon	NORMAL STATE OF THE STATE OF TH
2001	180,000
2002	185,000
2003	195,000
2004	205,000
2005	215,000
2006	225,000
1 2007 : 1 4 5 1 1 3 3 5 5 6 6 6 6 6	240,000
2008	250,000
2009	265,000
2010	280,000
2011	295,000
2012	315,000
2013	330,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1994.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$84,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 5, 1993, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1992 is \$16,353,162. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$4,200,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 524-4436, or from the financial advisor, Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, Attention: Stephen E. Shogren, (316) 262-4955.

Dated July 15, 1993.

Unified School District 298 Lincoln County, Kansas (Lincoln Center)

Doc. No. 013682

(Published in the Kansas Register, July 15, 1993.)

Notice of Bond Sale \$894,000 Riley County, Kansas General Obligation Bonds Series 1993-3 (Street Improvements)

Sealed Bids

Sealed bids for the purchase of \$894,000 principal amount of General Obligation Bonds, Series 1993-3 (Street Improvements), of the county hereinafter described, will be received by the undersigned Riley County Clerk on behalf of the governing body of the county at Riley County Courthouse, Riley County, Kansas, until 11 a.m. C.D.T. on July 22, 1993. All bids will be publicly opened and read at said time and place and will be acted upon by the county immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof (except one bond in the denomination of \$4,000). The bonds will be dated August 1, 1993, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
1994	\$84,000
1995	90,000
1996	90,000
1997	90,000
1998	90,000
1999	90,000
2000	90,000
2001	90,000
2002	90,000
2003	90,000
2003	90,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 1994.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The county will pay for the fees of the bond registrar for registration and transfer of the bonds and will also

pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

Redemption of Bonds Prior to Maturity

The bonds will not be subject to redemption and payment prior to maturity.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of one percent. No interest rate shall exceed the index of treasury bonds published by The Bond Buyer, successor to Muniweek in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the county during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the county on the basis of such bid. Each bid shall also specify the average annual net interest rate to the county on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the county, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the county. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the county shall determine which bid, if any, shall be accepted, and its determination shall be final.

Security for the Bonds

The bonds will be general obligations of the county payable as to both principal and interest in part from special assessments levied upon specially benefitted property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the county. The balance of the principal of and interest on the bonds is payable from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible prop-

erty, real and personal, within the territorial limits of the county.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the county which must be met subsequent to the issuance of the bonds by the county and, as a result, the county will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The county's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the county's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income, with certain other adjustment. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for an environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on such obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The county does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the county with the provisions of the resolution authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income.

(continued)

Delivery and Payment

The county will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about August 19, 1993, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds. immediately subject to use by the county. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the county and bond registrar not later than 3 p.m. C.D.T., on August 4, 1993. In the absence of such information, the county will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the county by 3 p.m. C.D.T. on August 4, 1993, a certificate acceptable to the county's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$17,880, payable to the order of the county to secure the county from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the county until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall, at the option of the county, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the county shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the county, and the county reserves the right to pursue any consequential damages as a result of such default.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the county.

Bid Forms

All bids must be made on forms which may be procured from the county clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The county reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned county clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at Riley County Courthouse and must be received by the undersigned prior to 11 a.m. C.D.T., on July 22, 1993.

Date and Delivery of Preliminary and Final Official Statement

The county has authorized the preparation and disbursement of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the purchaser and the price or yield at which the purchaser will reoffer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the county will provide without cost to the purchaser such reasonable number of printed copies of the final official statement, and further copies, if desired, will be made available at the purchaser's expense. If the sale of the bonds is awarded to a syndicate, the county will designate the senior managing purchaser of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The county will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the chairman and the county clerk to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the county's preliminary official statement relating to the bonds may be obtained from the county

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the county for the year 1992 is \$194,549,523. The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds, is \$4,357,460, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$3,079,255, of which \$930,000 will be retired out of the proceeds of the bonds herein offered for sale.

Dated July 7, 1993.

Riley County, Kansas Ilene Colbert, County Clerk 110 Courthouse Plaza Manhattan, KS 66502 (913) 537-0700

Doc. No. 013670

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